

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

LOVINCE GREEN,

Plaintiff,

v.

**9:06-CV-0525
(LEK)(DEP)**

**P. VAN GUILDER, Dep. of Security at Great Meadow
Correctional Facility,**

Defendant.

APPEARANCES:

LOVINCE GREEN
Plaintiff, *pro se*

LAWRENCE E. KAHN, District Judge

ORDER

Presently before the Court is an amended complaint submitted by Plaintiff Lovince Green. Dkt. No. 7. The amended complaint was submitted by Plaintiff in compliance with the Order issued by this Court on June 27, 2006. Dkt. No. 6.

In the amended complaint, Plaintiff alleges that he informed Defendant that he was being threatened by a gang, but that thereafter on February 10, 2006, he was placed in a holding pen with two of his "enemies." Amended Complaint (Dkt. No. 7) at 2. Plaintiff alleges that while in the holding pen, he was attacked by one of the individuals. *Id.* For a complete statement of Plaintiff's claims, reference is made to the amended complaint.

WHEREFORE, it is hereby

ORDERED, that the Clerk update the docket to reflect the parties as stated in the caption above, and it is further

ORDERED, that the Clerk issue a summons and forward it, along with a copy of the amended complaint, to the United States Marshal for service upon Defendant. The Clerk shall forward a copy of the summons and amended complaint by mail to the Office of the New York

State Attorney General, together with a copy of this Order, and it is further


ORDERED, that a response to Plaintiff's amended complaint be filed by Defendant or Defendant's counsel as provided for in the Federal Rules of Civil Procedure after service of process on Defendant, and it is further

ORDERED, that all pleadings, motions and other documents relating to this action must bear the case number assigned to this action and be filed with the Clerk of the United States District Court, Northern District of New York, 7th Floor, Federal Building, 100 S. Clinton St., Syracuse, New York 13261-7367. **Any paper sent by a party to the Court or the Clerk must be accompanied by a certificate showing that a true and correct copy of it was mailed to all opposing parties or their counsel. Any document received by the Clerk or the Court which does not include a proper certificate of service will be returned, without processing.** Plaintiff must comply with requests by the Clerk's Office for any documents that are necessary to maintain this action. All parties must comply with Local Rule 7.1 of the Northern District of New York in filing motions, which must be returnable before the assigned Magistrate Judge with proper allowance for notice as required by the Rules. **Plaintiff is also required to promptly notify the Clerk's Office and all parties or their counsel of any change in Plaintiff's address; his failure to do so will result in the dismissal of this action.** All motions will be decided on submitted papers without oral argument unless otherwise ordered by the Court, and it is further

ORDERED, that the Clerk serve this Order on Plaintiff.

IT IS SO ORDERED.

DATED: August 11, 2006
Albany, New York


Lawrence E. Kahn
U.S. District Judge